

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

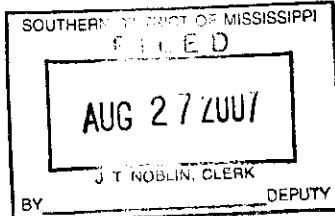
UNITED STATES OF AMERICA

v.

KENNETH E. GOODMAN,
STEPHANIE S. GOODMAN,
BENOIT HOLLOWAY and
GRAY GOODMAN

PLAINTIFF

CRIMINAL NO. 5:03-CR-30BrN



DEFENDANTS

AGREED PRELIMINARY ORDER OF FORFEITURE

The United States of America, by and through its attorney, Dunn Lampton, United States Attorney for the Southern District of Mississippi, the prospective Claimant, Oscar Goodman, and Defendant Kenneth E. Goodman, through their attorney of record, Clyde E. Ellis, come before the Court and would set forth the following:

1. The United States, the prospective Claimant Oscar Goodman and Defendant Kenneth E. Goodman, acting by and through their attorney of record, have agreed upon a full and complete compromise and settlement of all claims and potential claims of the Claimant in this action, as set forth more fully below.
2. The United States Attorney's Office and the United States Marshal shall select one appraiser to appraise the real property described below and will submit the name of that appraiser to Claimant Oscar Goodman and his attorney Clyde E. Ellis prior to the property being appraised.
3. The appraiser selected by the United States Attorney's Office and the United States Marshal shall conduct an appraisal for the fair market value of the Goodman homestead in Yazoo County, Mississippi, more specifically described as:

REAL PROPERTY

Commencing at the Southwest corner of Section 31, Township 13 North, Range 1 West; thence East 460.5 feet to a point in the centerline of the Flood Control Reservoir and the

point of beginning for the land herein described; run thence East 884.9 feet to an iron pin in the centerline of a private road; thence North 6 degrees 20 minutes East 320.17 feet along said centerline of road to an iron pin; thence North 32 degrees 40 minutes East 137.1 feet along said centerline of road to an iron pin; thence North 59 degrees 58 minutes East 316.0 feet along said centerline of road to an iron pin at the Northeast corner of the land herein described; thence North 70 degrees 57 minutes West 1341.3 feet to a point in said Reservoir; thence South 1030.0 feet to the point of beginning, containing 19.6 acres in the Southwest Quarter of Section 31, Township 13 North, Range 1 West, Yazoo County, Mississippi, according to survey of William E. Creel, LS, dated December 28, 1984, being designated as Tract #3 in Partition Deed involving the lands above described dated February 20, 1985.

Together with all removable or attached improvements situated thereon.

And also all rights of ingress and egress in a private road running in a generally northeasterly and southwesterly direction from the North boundary of the West $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of Section 31, Township 13 North, Range 1 West, to the North boundary of Section 6, Township 12 North, Range 1 West.

4. Claimant Oscar Goodman shall be responsible for any and all costs, fees and expenses charged by the appraiser selected by the United States Attorney's Office and the United States Marshal.

The fair market value of the property shall be the amount determined by the appraiser.

5. Once the fair market value has been determined, Claimant Oscar Goodman may, in his sole discretion, pay the difference between the fair market value of the property as determined by the appraisal and the \$300,000.00 already expended by Claimant Oscar Goodman to the United States as substitute assets.

(a) In the event Claimant Oscar Goodman desires to pay the monies as stated above, payment shall be made to the United States Marshal in lawful United States currency in the form of certified funds. Upon receipt of said payment, the United States Attorney's Office shall immediately release all properties from the Lis Pendens Liens filed in Yazoo County, Mississippi and Holmes County, Mississippi.

(b) In the event Claimant Oscar Goodman does not desire to pay the monies determined in paragraph 5 of this agreement, the United States Attorney's Office shall proceed with the forfeiture of

the property pursuant to the terms and conditions contained in the Memorandum of Understanding.

6. The Defendant Kenneth E. Goodman, Claimant Oscar Goodman and the United States agree that this Agreement constitutes a full and complete settlement of all pending forfeiture claims and issues in this case and agree that this Agreed Order of Forfeiture shall be filed with the Court and shall be made a part of the official record in this case.

7. The parties further agree that the ancillary requirements of Title 18, United States Code, Section 853(n) shall be excused in this matter, there being no other potential claimants who have indicated an interest in the defendant property.

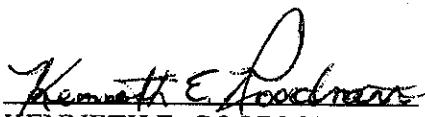
8. Except as provided herein, the parties agree to bear their own costs and attorney fees.

SO ORDERED AND ADJUDGED this 24 day of August, 2007.


UNITED STATES DISTRICT JUDGE

APPROVED:


JOHN DOWDY
Assistant U.S. Attorney
Chief, Criminal Division


KENNETH E. GOODMAN
Defendant


OSCAR GOODMAN
Property Owner


CLYDE E. ELLIS
Attorney for Kenneth E. Goodman and Oscar Goodman